

BILL NO. 2006-36

ORDINANCE NO. _____

AN ORDINANCE TO UPDATE THE LAND USE TABLES, TRANSFER TO AND INCLUDE WITHIN THOSE TABLES CERTAIN PARKING REQUIREMENTS AND OTHER DEVELOPMENT STANDARDS, AND PROVIDE FOR OTHER RELATED MATTERS.

Proposed by: M. Margo Wheeler, Director of Planning and Development

Summary: Updates the Land Use Tables and includes therein certain parking requirements and other development standards.

THE CITY COUNCIL OF THE CITY OF LAS VEGAS DOES HEREBY ORDAIN
AS FOLLOWS:

SECTION 1: Title 19, Chapter 4, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended by repealing Sections 10, 40, 50 and 60 in their entirety.

SECTION 2: Title 19, Chapter 4, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended by adding thereto a new section, designated as Section 10, reading as follows:

19.04.010 Land Use Tables.

The use of buildings, structures and land shall be permitted only in accordance with the following Land Use Tables, and subject to all other applicable requirements of this Title.

Table 1

Interpretation of Land Use Table (Table 2)

Symbol	Meaning
P	The use is permitted as a principal use in that zoning district as a matter of right.
A	The use is permitted as an accessory use to a main use in that zoning district. The listing of an accessory use does not exclude other land uses which are generally considered accessory to the primary use.
C	The use is permitted, but only in accordance with the conditions specified in the table for conditional uses.
S	The principal use is permitted in that zoning district only after first obtaining a Special Use Permit (SUP) as set forth in Section 19.18.060. Base standards may apply to an SUP approval, as specified in the table for special uses.
H	The use is permitted by means of a Home Occupation Permit.
T	The use is permitted by means of a Temporary Commercial Permit in accordance with Section 19.18.100.
	A blank square indicates that the use is not allowed in that zoning district as a principal use.

1 **Table 2**

2 **Land Use Table**

3 (Table 2 appears here)

4 SECTION 3: The document that is attached to this Ordinance is hereby adopted as
5 Table 2 of LVMC 19.04.010, and shall be inserted into that section, at the appropriate location, in any
6 codification or publication containing that section. Uses that are listed in Table 2 are provided with
7 a description that generally corresponds to a definition that appears in LVMC 19.20.020. In each such
8 case, the description that appears in Table 2 is for convenience of reference only and is not intended
9 to supersede any corresponding definition in LVMC 19.20.020, which shall prevail in the event of
10 conflict.

11 SECTION 4: Title 19, Chapter 4, of the Municipal Code of the City of Las Vegas,
12 Nevada, 1983 Edition, is hereby amended by adding thereto three new sections, designated
13 respectively as Sections 40, 50 and 60, reading as follows:

14 **19.04.040 Conditional Uses.**

15 (A) General. Any use that is marked with the letter “C” in the Land Use Tables for a particular
16 zoning district may be approved administratively as a conditional use if certain minimum conditions,
17 identified as conditional use regulations, can be met. A use approved as a conditional use is subject
18 to, and shall comply with:

- 19 (1) The conditional use regulations that are listed in the Tables for that use; and
20 (2) All any other applicable requirements of this Title.

21 (B) Special Use Permit Required. Except as otherwise specifically provided regarding a particular
22 use, when one or more of the itemized conditional use regulations cannot or will not be met, a Special
23 Use Permit is required for the use. Approval of a such a Special Use Permit may be conditioned on
24 requirements beyond those that are itemized as conditional use regulations for that use.

25 **19.04.050 Special Use Permits.**

26 (A) General. Any use that is marked with the letter “S” in the Land Use Tables for a particular
27 zoning district may be permitted only by means of a Special Use Permit. A Special Use Permit may
28 also be required by other provisions of law for other activities that are not listed as a use in the Land

1 Use Tables.

2 (B) Conditions and Requirements of Approval. Any use approved by means of Special Use Permit
3 is subject to, and shall comply with:

4 (1) The Special Use Permit requirements, if any, that are listed in the Tables for that use,
5 which are the minimum conditions required for approval;

6 (2) Other or additional requirements that may be imposed as conditions of Special Use
7 Permit approval in order to ensure compatibility of the use in relation to surrounding uses and the
8 pattern of development; and

9 (3) All other applicable requirements of this Title.

10 (C) Waivers. The Special Use Permit requirements listed in Table 2 must be satisfied unless it can
11 be shown by convincing and substantial evidence by the applicant that any waiver of these
12 requirements will not compromise the objective of the City in safeguarding the interests of the City
13 and the public. However, it shall not be permissible to waive any Special Use Permit requirement that
14 is listed in Table 2 and marked with an asterisk (*).

15 **19.04.060 Parking Requirements.**

16 The minimum number of on-site parking spaces for uses listed in the Land Use Tables in Section
17 19.04.010 shall be as listed in Table 2 of that Section. Other general requirements and standards
18 relating to parking and loading, including those that pertain to location, design, computation and
19 handicapped parking, are as set forth in Chapter 19.10.

20 SECTION 5: Title 19, Chapter 10, Section 10, Subsection (B), of the Municipal Code
21 of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

22 (B) Applicability. Every building or land use established, every existing building enlarged and
23 every existing use expanded shall provide off-street parking and loading areas in accordance with the
24 minimum parking requirements set forth in Table 2 of Section 19.04.010 and the requirements and
25 standards of this Chapter. Existing parking and loading spaces shall not be reduced below the
26 minimum required by Table 2 and this Chapter.

27 SECTION 6: Title 19, Chapter 10, Section 10, Subsection (D), of the Municipal Code
28 of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended to read as follows:

1 (D) General Regulations.

2 (1) The on-site parking requirements [in Section 19.10.010 (F) represent general parking
3 standards under which all proposed development shall be evaluated.] set forth in Table 2 of Section
4 19.04.010 shall apply to all proposed development.

5 (2) All on-site parking shall be provided on the same parcel as the principal use, except
6 as permitted by the off-site parking provisions of this Chapter. Parking on the public right-of-way may
7 not be counted towards satisfying the requirement for on-site parking.

8 (3) The distribution of parking spaces for any and all individual uses will be required to
9 be arranged on site to ensure optimal access and use by the patrons of such use.

10 (4) All parking and vehicle storage areas, including recreational vehicle parking in
11 residential land use districts, shall occur on paved areas, except that areas within automobile salvage
12 yards used for the storage of wrecked vehicles need only be oiled or otherwise protected so as to
13 prevent a dust nuisance.

14 (5) Except as otherwise provided in Table 2 of Section 19.04.010 or some other provision
15 of this Chapter, when more than one use is to be conducted on a site, parking shall be calculated and
16 provided for each of the uses separately.

17 SECTION 7: Title 19, Chapter 10, Section 10, Subsection (F) of the Municipal Code
18 of the City of Las Vegas, Nevada, 1983 Edition, is hereby repealed in its entirety.

19 SECTION 8: Title 19, Chapter 10, Section 10, of the Municipal Code of the City of
20 Las Vegas, Nevada, 1983 Edition, is hereby amended by adding thereto a new Subsection (F), reading
21 as follows:

22 (F) On-Site Parking Space Requirements. On-site parking spaces shall be provided in accordance
23 with Table 2 of Section 19.04.010.

24 SECTION 9: Title 19, Chapter 20, Section 20, of the Municipal Code of the City of
25 Las Vegas, Nevada, 1983 Edition, is hereby amended by amending the definition of the term “Airport,
26 Heliport or Landing Field” to read as follows:

27 “Airport, Heliport or Landing Field” means any area of land designated and set aside for the landing
28 and taking off of any aircraft regulated by the Federal Aviation Administration[.], together with related

1 refueling and terminal facilities.

2 SECTION 10: Title 19, Chapter 20, Section 20, of the Municipal Code of the City of
3 Las Vegas, Nevada, 1983 Edition, is hereby amended by amending the definition of the term “Animal
4 Hospital, Clinic or Shelter” to read as follows:

5 “Animal Hospital, Clinic, or Shelter” means a [place where animals or pets are given medical or
6 surgical treatment and are cared for during the time of such treatment.] facility that provides medical
7 or surgical treatment for animals or pets, as well as shelter and care during the time of such treatment.
8 Such a facility may, but does not necessarily, include the use of outdoor pens in providing such shelter
9 and care.

10 SECTION 11: Title 19, Chapter 20, Section 20, of the Municipal Code of the City of
11 Las Vegas, Nevada, 1983 Edition, is hereby amended by amending the definition of the term
12 “Antique/Collectible Store” to read as follows:

13 “Antique/Collectible Store” means any building used for the sale of [any old and authentic object of
14 personal property which was made, fabricated or manufactured sixty or more years earlier and which
15 has a unique appeal and enhanced value mainly because of its age and in addition, may include the
16 sale of any article of personal property which was made, fabricated or manufactured twenty or more
17 years earlier and because of public demand has attained value in a recognized commercial market
18 which is in excess of its original value.]

19 (1) Any old and authentic object of personal property which was made, fabricated or
20 manufactured sixty or more years earlier and which has a unique appeal and enhanced value mainly
21 because of its age; or

22 (2) Any article of personal property which was made, fabricated or manufactured twenty
23 or more years earlier and because of public demand has attained value in a recognized commercial
24 market which is in excess of its original value.

25 SECTION 12: Title 19, Chapter 20, Section 20, of the Municipal Code of the City of
26 Las Vegas, Nevada, 1983 Edition, is hereby amended by amending the definition of the term “Assisted
27 Living Apartment” to read as follows:

28 “Assisted Living Apartment” means an apartment or apartment complex which provides personal care

1 services to senior citizens for daily living needs. Such services may include, but are not limited to,
2 preparation and service of meals, housekeeping, laundry, monitoring of rooms, monitoring of
3 medication, or assistance with bathing. The term includes commercial uses that are ancillary to an
4 apartment complex as long as the total amount of floor space dedicated to such uses does not exceed
5 five percent of the total gross floor area of the apartment complex and there is no external signage for,
6 nor external access to, the commercial uses. The term does not include a [convalescent care facility,
7 nursing home or special care facility.] convalescent care facility/nursing home or other medical facility
8 that is specifically defined in this Chapter.

9 SECTION 13: Title 19, Chapter 20, Section 20, of the Municipal Code of the City of
10 Las Vegas, Nevada, 1983 Edition, is hereby amended by amending the definition of the term “Auto
11 Parts (New & Rebuilt) (Accessory Sales & Service)” to read as follows:

12 “Auto Parts (New & Rebuilt) (Accessory Sales & Service)” means a facility for the retail sale and
13 installation of lubricating oils, tires, filters and other new or rebuilt goods for use in motor vehicles.
14 The resurfacing of rotors, pressing of bearings, grinding of brake drums, and similar activities are
15 permitted as incidental uses[.], as well as the installation of auto accessories.

16 SECTION 14: Title 19, Chapter 20, Section 20, of the Municipal Code of the City of
17 Las Vegas, Nevada, 1983 Edition, is hereby amended by amending the definition of the term “Auto
18 Repair Garage, Minor” to read as follows:

19 “Auto Repair Garage, Minor” means a facility for the performance of minor repairs and service on
20 vehicles of ten thousand pounds gross vehicle weight or less. [; such] Such repairs and service are
21 limited to electronic tune-ups, brake repairs (including drum turning), air conditioning repairs,
22 generator and starter repairs, tire repairs, front end alignments, battery recharging, lubrication,
23 selling/installing minor parts and accessories, and other similar activities. [and repairing and installing]
24 The term also includes the repair and installation of other minor elements of an automobile such as
25 windshield wipers, hoses, windows, etc., but [excluding engine, transmission and differential repair
26 or installation.] excludes general engine repairs, engine installation, and the repair and installation of
27 transmissions and differentials.

28 SECTION 15: Title 19, Chapter 20, Section 20, of the Municipal Code of the City of

1 Las Vegas, Nevada, 1983 Edition, is hereby amended by amending the definition of the term
2 “Automobile Rental” to read as follows:

3 “Automobile Rental” means a facility for the rental of new or used automobiles[. Automobiles kept
4 on the lot for rental purposes are not considered to be outside storage.] or other passenger vehicles.
5 For purposes of the limitations of this Title on outside storage, vehicles kept on a lot for rental
6 purposes are not considered to be outside storage.

7 SECTION 16: Title 19, Chapter 20, Section 20, of the Municipal Code of the City of
8 Las Vegas, Nevada, 1983 Edition, is hereby amended by amending the definition of the term
9 “Business School” to read as follows:

10 “Business School” means a facility or area for instruction and training in secretarial and related office
11 skills, cosmetology, commercial art, computer software, cooking [and] or similar training.

12 SECTION 17: Title 19, Chapter 20, Section 20, of the Municipal Code of the City of
13 Las Vegas, Nevada, 1983 Edition, is hereby amended by amending the definition of the term
14 “Cemetery/Mausoleum” to read as follows:

15 “Cemetery/Mausoleum” means property and facilities used for interring of the dead.

16 SECTION 18: Title 19, Chapter 20, Section 20, of the Municipal Code of the City of
17 Las Vegas, Nevada, 1983 Edition, is hereby amended by amending the definition of the term “Child
18 Care – Group Home (1-6 Children)” to read as follows:

19 “Child Care – Group Home (1-6 Children)” means a residential dwelling used primarily as a residence
20 which also provides day or overnight care for a maximum of six children for compensation. Such
21 [uses are] a use is subject to the child care regulations and standards of the Department of [Business
22 Activity.] Finance and Business Services.

23 SECTION 19: Title 19, Chapter 20, Section 20, of the Municipal Code of the City of
24 Las Vegas, Nevada, 1983 Edition, is hereby amended by amending the definition of the term “Child
25 Care – Group Home (7-12 Children)” to read as follows:

26 “Child Care – Group Home (7-12 Children)” means a residential dwelling used primarily as a
27 residence which also provides day or overnight care for a minimum of seven and a maximum of
28 twelve children for compensation. Such [uses are] a use is subject to the child care regulations and

standards of the Department of [Business Activity.] Finance and Business Services.

SECTION 20: Title 19, Chapter 20, Section 20, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended by amending the definition of the term “Church, House of Worship” to read as follows:

“Church, House of Worship” means any building used for religious worship services, religious education and fellowship activities and programs of a religious organization. The term includes the use of the building and premises for other related activities, such as child care, [facilities,] formal educational programs, preschool classes and recreational activities, but only when those activities are ancillary to the religious use and only after those uses have been approved by means of a use review or other procedure under Chapter 19.18. The term does not include any class of child care center, general education [class-room] classroom or facility, thrift shop, homeless shelter or commercial activity.

SECTION 21: Title 19, Chapter 20, Section 20, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended by amending the definition of the term “Construction Material Supply Yard” to read as follows:

“Construction Material Supply Yard” means a facility for the storage [of construction materials for a specific development.] and sales of construction materials.

SECTION 22: Title 19, Chapter 20, Section 20, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended by amending the definition of the term “Convalescent Care Facility/Nursing Home” to read as follows:

“Convalescent Care Facility/Nursing Home” means a building or structure designed, used, or intended to be used to house and provide care for persons who have a chronic physical or mental illness or infirmity, but who do not need medical, surgical or other specialized treatment normally provided by a hospital, [or special care facility. “Convalescent care facility”] The term includes a “rest home” and “nursing home,” but does not include an “assisted living apartment,” “hospital” or [“special care facility.”] other medical facility that is specifically defined in this Chapter.

SECTION 23: Title 19, Chapter 20, Section 20, of the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby amended by amending the definition of the term “Country

1 Club, Private” to read as follows:

2 “Country Club, Private” means a facility [used for recreational or athletic purposes with limited
3 membership and the use of which is primarily restricted to members and their guests. Accessory uses
4 include retail and restaurant facilities which do not have separate signage or advertising, and a club
5 house.] that is made available for use on a membership basis for recreational or athletic purposes,
6 where membership is limited and the use of the facility is primarily restricted to members and their
7 guests. The term includes accessory uses, such as:

8 (1) A clubhouse.

9 (2) Retail and restaurant facilities which do not have separate signage or advertising.

10 SECTION 24: Title 19, Chapter 20, Section 20, of the Municipal Code of the City of
11 Las Vegas, Nevada, 1983 Edition, is hereby amended by amending the definition of the term
12 “Custodial Institution” to read as follows:

13 “Custodial Institution” means [a building or structure and related facilities used for the housing or
14 detention of persons who have been charged with or have been convicted of felonies or misdemeanors,
15 including group facilities for the housing of persons on probation or parole.] one or more buildings
16 and related facilities used for the housing or detention of persons who have been charged with or have
17 been convicted of felonies or misdemeanors.

18 SECTION 25: Title 19, Chapter 20, Section 20, of the Municipal Code of the City of
19 Las Vegas, Nevada, 1983 Edition, is hereby amended by amending the definition of the term “Electric
20 Generating Plant” to read as follows:

21 “Electric Generating Plant” means a facility that generates electricity from mechanical power produced
22 by solar, gas, coal, hydraulic power sources or nuclear fission [franchised by the City.] and that is
23 properly licensed or franchised by the authorities having jurisdiction.

24 SECTION 26: Title 19, Chapter 20, Section 20, of the Municipal Code of the City of
25 Las Vegas, Nevada, 1983 Edition, is hereby amended by amending the definition of the term
26 “Financial Institution, General” to read as follows:

27 “Financial Institution, General” means any business or organization[, including without limitation
28 banks and credit unions,] whose primary service is the exchange of currency. The term includes

1 without limitation banks and credit unions, with or without drive-through service, but does not include
2 any business engaged in retail sales or a business whose primary service is to lend money for
3 repayment at a future date.

4 SECTION 27: Title 19, Chapter 20, Section 20, of the Municipal Code of the City of
5 Las Vegas, Nevada, 1983 Edition, is hereby amended by amending the definition of the term “Gaming
6 Establishment, General Business Related” to read as follows:

7 “Gaming Establishment, General Business Related” means a building or structure which is primarily
8 used for some business other than gaming but in which restricted gaming is permitted pursuant to
9 [Chapter 6 of the Las Vegas Municipal Code.] Title 6.

10 SECTION 28: Title 19, Chapter 20, Section 20, of the Municipal Code of the City of
11 Las Vegas, Nevada, 1983 Edition, is hereby amended by amending the definition of the term “General
12 Personal Service” to read as follows:

13 “General Personal Service” means a facility for the sale of personal services. Typical personal
14 services include barber/beauty shop, tanning salon, nail salon, shoe repair, tailor, instructional arts
15 studio, photography studio, hand-crafted art studio, safe deposit boxes, travel bureau, house cleaning
16 service, weight reduction center, [and] day spa, florist (excluding greenhouses) and permanent makeup
17 establishment.

18 SECTION 29: Title 19, Chapter 20, Section 20, of the Municipal Code of the City of
19 Las Vegas, Nevada, 1983 Edition, is hereby amended by amending the definition of the term
20 “Government Facility” to read as follows:

21 “Government Facility” means a facility[, agency] or area used for public purposes and owned or
22 operated by an instrumentality or agency of Federal, State, or local government.

23 SECTION 30: Title 19, Chapter 20, Section 20, of the Municipal Code of the City of
24 Las Vegas, Nevada, 1983 Edition, is hereby amended by amending the definition of the term “Group
25 Residential Care Facility” to read as follows:

26 “Group Residential Care Facility” means a dwelling of a residential character which is used or
27 intended to be used to provide housing and care for up to ten elderly persons or persons with a
28 handicap. The term does not include an individual residential care facility; [, convalescent care

1 facility, nursing home, hospital, special care facility] convalescent care facility/nursing home; hospital;
2 facility to provide testing, treatment, or counseling for drug or alcohol abuse; or any facility which:

- 3 (1) Provides surgical, medical, psychiatric or other specialized treatment on a regular basis;
4 (2) Provides housing and care to persons who have a chronic illness, disease, injury or
5 other medical condition; or
6 (3) Provides housing, care or treatment to persons whose occupancy would constitute a
7 direct threat to the health or safety of other individuals or their property.

8 SECTION 31: Title 19, Chapter 20, Section 20, of the Municipal Code of the City of
9 Las Vegas, Nevada, 1983 Edition, is hereby amended by amending the definition of the term “Horse
10 Corral or Stable (Commercial)” to read as follows:

11 “Horse Corral or Stable (Commercial)” means a structure for the keeping of horses, mules or ponies
12 which are boarded for compensation[.] or for use in providing instructional or recreational activities
13 for persons other than occupants of the premises.

14 SECTION 32: Title 19, Chapter 20, Section 20, of the Municipal Code of the City of
15 Las Vegas, Nevada, 1983 Edition, is hereby amended by amending the definition of the term
16 “Manufactured Home” to read as follows:

17 “Manufactured Home” means a structure as defined in NRS 489.113. A manufactured home may or
18 may not qualify for treatment as a single-family detached dwelling pursuant to [Section 19.04.060(B).]
19 Table 2, as adopted in Section 19.04.010.

20 SECTION 33: Title 19, Chapter 20, Section 20, of the Municipal Code of the City of
21 Las Vegas, Nevada, 1983 Edition, is hereby amended by amending the definition of the term
22 “Mortuary or Funeral Chapel” to read as follows:

23 “Mortuary or Funeral Chapel” means a facility in which [dead bodies are prepared for burial or
24 cremation; a facility where funeral services are conducted.] one or both of the following activities
25 occur:

- 26 (1) Dead bodies are prepared for burial or cremation.
27 (2) Funeral services are conducted.

28 SECTION 34: Title 19, Chapter 20, Section 20, of the Municipal Code of the City of

1 Las Vegas, Nevada, 1983 Edition, is hereby amended by amending the definition of the term “Night
2 Club” to read as follows:

3 “Night Club” means an establishment, other than a teen dance center, that is operated as a place of
4 entertainment, characterized by any or all of the following as a principal use:

5 (1) Live, recorded, or televised entertainment, including but not limited to performance
6 by magicians, musicians or comedians.

7 (2) Dancing.

8 SECTION 35: Title 19, Chapter 20, Section 20, of the Municipal Code of the City of
9 Las Vegas, Nevada, 1983 Edition, is hereby amended by amending the definition of the term “Off-
10 Premise Sign” to read as follows:

11 “Off-Premise Sign” means any sign advertising or announcing any place, product, goods, services,
12 idea or statement whose subject is not [available, located at, nor] located nor available on the lot where
13 the sign is erected or placed.

14 SECTION 36: Title 19, Chapter 20, Section 20, of the Municipal Code of the City of
15 Las Vegas, Nevada, 1983 Edition, is hereby amended by amending the definition of the term “Radio
16 Broadcasting” to read as follows:

17 “Radio Broadcasting” means a building or portion of a building used as a place for radio broadcasting.
18 The term does not include any antenna or antenna structure.

19 SECTION 37: Title 19, Chapter 20, Section 20, of the Municipal Code of the City of
20 Las Vegas, Nevada, 1983 Edition, is hereby amended by amending the definition of the term
21 “Secondhand Dealer” to read as follows:

22 “Secondhand Dealer” means a specialty shop which deals solely in one kind of used commodity with
23 no new commodities, or a business in which the sale of secondhand or used articles is incidental to
24 the sale of new articles of the same kind. For purposes of this definition, the sale of secondhand or
25 used articles is deemed to be incidental to the sale of new articles. Used articles may include wearing
26 apparel, furniture, fixtures, appliances, tableware, office supplies, pictures, paintings, jewelry, cutlery
27 or guns. The term includes the sale of jewelry (Class III type) and scrap precious metals as defined
28 in LVMC Chapter 6.74, but does not include the sale of junk as defined in that Chapter, the sale of

1 used cars or the sale of other items which the City Council determines do not fit within the intent of
2 this term. The term does not include the buying and selling of foreign or domestic coins for
3 numismatic purposes, which shall be allowed where retail sales of new merchandise is permitted. The
4 term also does not include a thriftshop or nonprofit thriftshop.

5 SECTION 38: Title 19, Chapter 20, Section 20, of the Municipal Code of the City of
6 Las Vegas, Nevada, 1983 Edition, is hereby amended by amending the definition of the term
7 “Seasonal Outdoor Sales” to read as follows:

8 “Seasonal Outdoor Sales” means the temporary outdoor sale and display of the following (and only
9 the following) holiday goods in connection with the corresponding holidays:

- 10 (1) Christmas trees;
- 11 (2) Halloween pumpkins;
- 12 (3) Valentine’s Day flowers; and
- 13 (4) Mother’s Day flowers.

14 The term does not include fireworks sales, [to the extent they are conducted in compliance with
15 LVMC Chapter 9.28 and] which are governed by LVMC Chapter 9.28 and are subject to the
16 requirements of the Department of Fire and Rescue.

17 SECTION 39: Title 19, Chapter 20, Section 20, of the Municipal Code of the City of
18 Las Vegas, Nevada, 1983 Edition, is hereby amended by amending the definition of the term
19 “Sexually-Oriented Business” to read as follows:

20 “Sexually-Oriented Business” See [Section 19.04.040.] Table 2, as adopted in Section 19.04.010.

21 SECTION 40: Title 19, Chapter 20, Section 20, of the Municipal Code of the City of
22 Las Vegas, Nevada, 1983 Edition, is hereby amended by amending the definition of the term “Supper
23 Club” to read as follows:

24 “Supper Club” means a restaurant and bar operation with alcoholic beverage sales[: wherein the bar
25 area is separated from the restaurant area by a baffle sufficient to prevent access to the bar by minors;
26 wherein the actual seating available at all times within the restaurant area will accommodate at least
27 one hundred twenty-five persons; wherein alcoholic beverages are served in the restaurant area only
28 in conjunction with the service of food; wherein full-course meals are available during all hours the

1 bar area is open to the public; wherein a cook and food server, other than a bartender, are available
2 at all times the bar area is open to the public; and wherein the restaurant operation is the principal
3 portion of the business.] in which:

4 (1) The bar area is separated from the restaurant area by a barrier sufficient to prevent
5 access to the bar by minors;

6 (2) The actual seating available at all times within the restaurant area will accommodate
7 at least one hundred twenty-five persons;

8 (3) Alcoholic beverages are served in the restaurant area only in conjunction with the
9 service of food;

10 (4) Full-course meals are available during all hours the bar area is open to the public;

11 (5) A cook and food server, other than a bartender, are available at all times the bar area
12 is open to the public; and

13 (6) The restaurant operation is the principal portion of the business.

14 SECTION 41: Title 19, Chapter 20, Section 20, of the Municipal Code of the City of
15 Las Vegas, Nevada, 1983 Edition, is hereby amended by amending the definition of the term “Swap
16 Meet” to read as follows:

17 “Swap Meet” means a facility (whether indoor or outdoor) in which multiple vendors, dealers, sellers
18 or traders have rented, leased, purchased or otherwise obtained an area from a swap meet operator for
19 the purpose of selling, bartering, exchanging or trading new or used items of personal property, where
20 the aggregate value of all such property exceeds the amount of one thousand dollars.

21 SECTION 42: Title 19, Chapter 20, Section 20, of the Municipal Code of the City of
22 Las Vegas, Nevada, 1983 Edition, is hereby amended by amending the definition of the term
23 “Trailer/RV Camp or Park” to read as follows:

24 “Trailer/RV Camp or Park” means any lot or tract of land used, or intended to be used, for the
25 [accommodation of two or more auto trailers.] renting of space to accommodate two or more
26 recreational vehicles.

27 SECTION 43: Title 19, Chapter 20, Section 20, of the Municipal Code of the City of
28 Las Vegas, Nevada, 1983 Edition, is hereby amended by amending the definition of the term

1 “Transitional Living Group Home” to read as follows:

2 “Transitional Living Group Home” means a dwelling of a residential character which is operated
3 under an appropriate State or County license and which provides housing and related assistance for
4 six or fewer persons who are in need of transitional living arrangements. The term does not include
5 an individual residential care facility, group residential care facility, [convalescent care facility,
6 nursing home, hospital, special care facility] convalescent care facility/nursing home, hospital, or any
7 facility which:

8 (1) Provides surgical medical, psychiatric or other specialized treatment on a regular basis;

9 (2) Provides housing and care to persons who have a chronic illness, disease, injury or
10 other medical condition; or

11 (3) Provides housing, care or treatment to persons whose occupancy would constitute a
12 direct threat to the health or safety of other individuals or their property.

13 SECTION 44: Title 19, Chapter 20, Section 20, of the Municipal Code of the City of
14 Las Vegas, Nevada, 1983 Edition, is hereby amended by amending the definition of the term
15 “Trucking Company” to read as follows:

16 “Trucking Company” means a business, service or industry involving the use of commercial vehicles
17 in the loading, unloading and transportation of cargo. [May] The term may also include the fueling,
18 maintenance, servicing, storage or repair of commercial vehicles or the storage of cargo.

19 SECTION 45: Title 19, Chapter 20, Section 20, of the Municipal Code of the City of
20 Las Vegas, Nevada, 1983 Edition, is hereby amended by amending the definition of the term “TV
21 Broadcasting and Other Communication Service” to read as follows:

22 “TV Broadcasting and Other Communication Service” means a building or portion of a building used
23 as a place for television broadcasting [and similar activities.] or similar communication-related
24 activities.

25 SECTION 46: Title 19, Chapter 20, Section 20, of the Municipal Code of the City of
26 Las Vegas, Nevada, 1983 Edition, is hereby amended by amending the definition of the term “Urban
27 Lounge” to read as follows:

28 “Urban Lounge” means an establishment that:

1 (1) Is licensed for the sale of alcoholic beverages for consumption on the premises where
2 the same are sold, and the sale, to consumers only and not for resale, of alcoholic beverages in original
3 sealed or corked containers, for consumption off the premises where the same are sold; and

4 (2) Meets the criteria for an urban lounge as set forth in [Section 19.04.050(B).] Table 2,
5 as adopted in Section 19.04.010.

6 SECTION 47: Title 19, Chapter 20, Section 20, of the Municipal Code of the City of
7 Las Vegas, Nevada, 1983 Edition, is hereby amended by amending the definition of the term “Utility
8 Installation, Other than Listed” to read as follows:

9 “Utility Installation, Other than Listed” means a facility or area [for] used as (or for) a utility
10 installation not specifically listed in this Title.

11 SECTION 48: Title 19, Chapter 20, Section 20, of the Municipal Code of the City of
12 Las Vegas, Nevada, 1983 Edition, is hereby amended by deleting the following terms, along with their
13 corresponding definitions:

14 Auto Parts (Accessory Installations)

15 Boat and Trailer Sales Dealerships (New and Used)

16 Car Wash (Full-Service)

17 Child Care Center (More than 12 Children)

18 Cleaners, Commercial

19 Cleaners, Commercial/Industrial

20 Commercial Amusement/Recreation (Inside)

21 Commercial Amusement/Recreation (Outside)

22 Crematorium

23 Environmentally Hazardous Materials

24 General Retail Store

25 Gun Club, Skeet or Target Range

26 Heavy Machinery & Equipment (Rental, Sales & Service)

27 Hotel or Motel, or Hotel Suites

28 Impound Yard

- 1 Light Assembly & Fabrication
- 2 Mini-warehouse
- 3 Multi-family
- 4 Museum or Art Gallery
- 5 Office, Medical
- 6 Open Air Vending Transient Sales Lot
- 7 Outside Storage
- 8 Public or Private School
- 9 Railroad Yard, Shop, or Roundhouse
- 10 Restaurant, Drive-Through
- 11 Restaurant Service Bar
- 12 Thrift-Shop
- 13 Thrift Shop, Non-profit
- 14 Utility Lines and Transmission

15 SECTION 49: Title 19, Chapter 20, Section 20, of the Municipal Code of the City of
16 Las Vegas, Nevada, 1983 Edition, is hereby amended by adding thereto, at the appropriate locations,
17 the following terms and their corresponding definitions:

18 “Auto Parts (Accessory Installation)” means a facility for the retail sale and installation of auto
19 accessories such as stereos, alarms and other types of accessories.

20 “Auto Smog Check” means a facility for the testing of vehicle emissions.

21 “Bailbond Service” means an establishment that makes available to the public undertakings of bail
22 in connection with judicial proceedings.

23 “Billiard Parlor or Pool Hall” means a business establishment whose principal purpose is to make
24 billiard tables available for use by the public for amusement or entertainment.

25 “Boat and Trailer Dealership (New and Used)” means the use of any building or lot for the display and
26 sale of new or used boats, jet skis or other marine vessels, along with corresponding trailers.

27 “Car Wash, Full Service or Auto Detailing” means an establishment that provides for the washing,
28 cleaning, waxing or detailing of passenger vehicles, either by means of employees or by means of

1 automated or semi-automated methods of cleaning, or by a combination thereof.

2 “Child Care Center” means any commercial facility which provides day or overnight care for more
3 than twelve children. Such a use is subject to the child care regulations and standards of the
4 Department of Finance and Business Services.

5 “Cleaners, Commercial/Industrial” means a facility or premises which is used for cleaning items in
6 bulk quantities, such as clothing and linens. The term includes diaper cleaning services and cleaning
7 services for hospitals, restaurants, hotels and similar clients, as well as rug and dry cleaning plants,
8 and may include on-premise retail services to individual households as an use incidental to the
9 operation of the plant.

10 “Commercial Recreation/Amusement (Inside)” means an enclosed facility or area for sport,
11 entertainment, games of skill, or recreation that is open to use by the general public for a fee. The
12 term includes without limitation bowling alleys, indoor miniature golf courses, roller and ice skating
13 rinks, game courts, swimming pools, walk-in movie theaters, physical fitness centers, gyms and video
14 arcades.

15 “Commercial Recreation/Amusement (Outside)” means an outdoor facility or area for sport,
16 entertainment, games of skill, or recreation that is open to use by the general public for a fee. The
17 term includes without limitation game courts, water slides, golf courses, outdoor miniature golf
18 courses, drive-in theaters, batting cages, practice/instructional fields, amusement parks, and sports
19 events, but does not include an amphitheater.

20 “Convent or Monastery” means a house or set of buildings used as a residence by persons under
21 religious vows.

22 “Crematory” means a facility used for the cremation of corpses.

23 “Electrical, Watch, Clock, Jewelry & Similar Repair” means an establishment that provides repair
24 services for small electronics, clocks, watches, jewelry and other similar items.

25 “Environmentally Hazardous Materials” means the location of activities or products which have the
26 potential to be dangerous, extremely obnoxious, or cause substantial environmental impacts on or
27 beyond the boundaries of the property on which the activity or use is conducted. Environmentally
28 hazardous materials include, but are not limited to, the following activities:

- 1 (1) The manufacture, storage and testing of explosives, fireworks or munitions.
- 2 (2) The refining of petroleum and the storage and distribution of natural and liquid gas or
3 other petroleum derivatives in bulk including terminals, tank farms or other similar facilities.
- 4 (3) The manufacture, blending, or mixing of pesticides, certain acids and fertilizer.
- 5 (4) Stockyards; feed pens; livestock sales with pens and/or shipping facilities[.] ; rendering
6 of animal fats; slaughtering or processing of animals; and industrial manufacturing processes using
7 the following raw materials: bones, garbage, offal and dead animals.
- 8 (5) The refining of raw materials, such as, but not limited to, chemicals, rubber, wood or
9 wood pulp, into other products.
- 10 (6) The forging, casting, melting, refining, extruding, rolling, drawing or alloying of
11 metals.
- 12 (7) The testing of jet engines or other engines.
- 13 (8) Refuse disposal services not listed elsewhere in this Title, including but not limited to
14 landfills, incinerators and other locations which receive garbage and refuse generated off-site for
15 storage, treatment or disposal.
- 16 (9) Boiler works.
- 17 “Fraternity, Sorority House or Private Dorm” means a residential building associated with a college
18 or university that provides sleeping quarters, but not separate dwelling units, and may include common
19 dining, cooking, recreation or bathing facilities.
- 20 “General Retail Store, Other than Listed” means a facility for the retail sale of general merchandise
21 to the general public for direct consumption and not for wholesale.
- 22 “Golf Driving Range” means a facility or area that is made available to the public for the practice of
23 golf driving techniques.
- 24 “Gun Club, Skeet or Target Range” means a facility or area used for archery or the shooting of
25 firearms, whether for practice or sport.
- 26 “Health Club” means an establishment that operates physical fitness facilities, sports clubs or
27 recreation clubs.
- 28 “Heavy Machinery & Equipment (Storage)” means a lot or facility used for the storage of heavy

1 construction equipment, machinery and vehicles.

2 “Hotel, Motel or Hotel Suites” means, respectively, as follows:

3 (1) “Hotel” means a building or group of buildings whose main function is to provide
4 rooms for temporary lodging where entrance to each room is gained from a completely enclosed area.
5 A hotel may also contain restaurants, conference rooms and personal service shops. The phrase
6 “temporary lodging” refers to a rental period with a normal duration of no more than one week.

7 (2) “Motel” means a building or group of buildings whose main function is to provide
8 rooms for temporary lodging, rooms which are directly accessible from an outdoor parking area. The
9 phrase “temporary lodging” refers to a rental period with a normal duration of no more than one week.

10 (3) “Hotel Suites” means a facility offering temporary lodging accommodations to the
11 general public in which rooms or suites may include kitchen facilities and sitting rooms in addition
12 to the sleeping room. The phrase “temporary lodging” refers to a rental period with a normal duration
13 of no more than one week.

14 “Library, Art Gallery or Museum (Public)” means a publicly-operated facility used for:

15 (1) The housing of a collection of books, magazines, audio and video tapes, or other
16 material for borrowing and use by the general public; or

17 (2) The acquisition, preservation, study or exhibition of works of artistic, historic or
18 scientific value.

19 “Light Assembly & Fabrication” means the assembly or manufacturing of objects or items that:

20 (1) Are made from standard parts or components;

21 (2) Are distinct from the individual parts or components; and

22 (3) Are not of another type of assembly or fabrication specifically described in Table 2,
23 as adopted in Section 19.04.010.

24 “Mining, Sand & Gravel Extraction” means the excavation of sand, gravel, minerals or other resources
25 from the earth.

26 “Mini-Storage Facility” means a facility with enclosed storage space, divided into separate
27 compartments no larger than five hundred square feet in size, which is provided for use by individuals
28 to store personal items or by businesses to store materials for operation of a business establishment.

1 “Multi-Family Residential” means a structure used or designed as a residence for three or more
2 families or households living independently of each other.

3 “Museum or Art Gallery (Private)” means a privately-operated facility or area for the acquisition,
4 preservation, study, and exhibition of works of artistic, historic or scientific value.

5 “Office, Medical or Dental” means a professional office for the administration of professional medical
6 or dental care, including examinations, screenings and minor outpatient surgical procedures. The term
7 does not include a facility that provides housing for individuals, a clinic, or any other facility that is
8 specifically defined in this Title.

9 “Open Air Vending/Transient Sales Lot” means an area that is used exclusively for the sale or taking
10 of orders for any merchandise where:

11 (1) Such merchandise is displayed or sold in the open area;

12 (2) The activity is not part of the operation of an established business; and

13 (3) No permanent physical structures or facilities are used as integral parts of the sales or
14 order taking operations.

15 The term includes the display or sale of merchandise in or in connection with a truck, trailer or
16 movable building of any type.

17 “Outdoor Storage, Accessory” means the use of a significant portion of a lot or area for the long term
18 retention (more than twenty-four hours) of materials and machinery or equipment, regardless of
19 whether the materials, machinery or equipment are to be bought, sold, repaired, stored, incinerated,
20 or discarded. The term does not include new or used motor vehicle sales and rental display, nor does
21 it include accessory and incidental parking of vehicles for residents, guests, customers or employees
22 in connection with a principal use.

23 “Pet Shop” means a retail establishment engaged in the sale of pets, small animals, pet supplies, or
24 pet grooming services.

25 “Post Office, Local Service” means a branch office of the United States Postal Service that handles
26 the mail for no more than five zip codes.

27 “Post Office, Regional” means a branch office of the United States Postal Service that handles the
28 mail for more than five zip codes.

1 “Private Sports Arena, Stadium or Track” means a facility that:

2 (1) Is used for playing and watching sports, concerts, plays, etc.; and

3 (2) Is not owned or operated by a public or quasi-public organization.

4 “Private Street” means a street designated for use by specified property owners, maintained by or on
5 behalf of those property owners, and not dedicated to nor intended for access by the general public.

6 “Psychiatric Hospital” means a facility for the diagnosis, care, treatment, or housing of persons with
7 mental illness who are admitted on an involuntary basis.

8 “Public or Private School, Primary” means an institution that provides kindergarten through 8th grade
9 education and is supported by a public, religious or private organization.

10 “Public or Private School, Secondary” means an institution that provides 9th through 12th grade
11 education and is supported by a public, religious or private organization.

12 “Rail/Transit Yard or Shop” means a facility or area for the maintenance, repair, or storage of bus, rail
13 or other transit vehicles.

14 “Restaurant with Drive-Through” means a restaurant that includes one or more drive-through lanes
15 for ordering and dispensing food and beverages to patrons remaining in their vehicles.

16 “Restaurant with Service Bar” means a bar wherein alcoholic beverage drinks are prepared for service
17 only at tables in a restaurant and for consumption only in connection with a meal served on the
18 premises, and where customers are not permitted to purchase alcoholic beverage drinks directly from
19 the bar or for off-premise consumption.

20 “Satellite Dish” means a device which:

21 (1) Incorporates a reflective surface that is solid, open mesh, or bar-configured;

22 (2) Has the shape of a shallow dish, cone, horn or cornucopia; and

23 (3) Is used to receive electromagnetic signals.

24 “Single Family, Zero Lot Line” means a single family dwelling unit that is located directly on 1 or
25 more lot lines.

26 “Slaughtering and Processing of Live Poultry” means an operation in which live poultry is slaughtered
27 and processed in preparation for human consumption.

28 “Sound Stage” means a building or portion of a building used for the production of movies.

1 “Tennis Courts, Accessory” means tennis courts that are available for use only as an incidental or
2 accessory use in connection with the principal residential or commercial use of the premises.

3 “Thriftshop” means a business operation that deals primarily in secondhand wearing apparel.

4 “Thriftshop, Nonprofit” means a shop that is operated by a nonprofit organization and that sells
5 donated used merchandise only.

6 “Towing & Impound Yard” means a lot or building used for the storage of damaged, wrecked or
7 impounded motor vehicles for a limited period of time, usually awaiting insurance adjustment,
8 transport to a repair shop, or recovery by the owner or operator.

9 “Towing Service (with No Storage)” means an establishment that provides the service of transporting
10 damaged, wrecked or impounded motor vehicles to an off-site storage area or other facility.

11 “Utility Transmission Lines” means utility infrastructure that:

12 (1) Provides electrical power, telephone, or cable television; and

13 (2) Is installed, operated and maintained by a municipality or a franchised utility company.

14 “Vehicle Parking, Storage or Repair in Residential Zoning Districts” means the parking, storage or
15 repair of vehicles as an accessory use in residential zoning districts.

16 “Welding Repair” means a facility in which products made of metal or metal alloy are repaired by
17 means of welding.

18 SECTION 50: For purposes of Section 2.100(3) of the City Charter, LVMC 19.10.010
19 and 19.20.020 are deemed to be subchapters rather than sections.

20 SECTION 51: If any section, subsection, subdivision, paragraph, sentence, clause or
21 phrase in this ordinance or any part thereof is for any reason held to be unconstitutional or invalid or
22 ineffective by any court of competent jurisdiction, such decision shall not affect the validity or
23 effectiveness of the remaining portions of this ordinance or any part thereof. The City Council of the
24 City of Las Vegas hereby declares that it would have passed each section, subsection, subdivision,
25 paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or more sections,
26 subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional,
27 invalid or ineffective.

28 SECTION 52: All ordinances or parts of ordinances or sections, subsections, phrases,

1 sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada,
2 1983 Edition, in conflict herewith are hereby repealed.

3 PASSED, ADOPTED and APPROVED this _____ day of _____, 2006.

4 APPROVED:

5
6 By _____
OSCAR B. GOODMAN, Mayor

7 ATTEST:

8
9 _____
BARBARA JO RONEMUS, City Clerk

10 APPROVED AS TO FORM:

11 _____
Date

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1 The above and foregoing ordinance was first proposed and read by title to the City Council on the
2 _____ day of _____, 2006, and referred to the following committee composed of
3 _____ and _____ for recommendation;
4 thereafter the said committee reported favorably on said ordinance on the _____ day of
5 _____, 2006, which was a _____ meeting of said Council; that at said
6 _____ meeting, the proposed ordinance was read by title to the City Council
7 as first introduced and adopted by the following vote:

8 VOTING "AYE": _____

9 VOTING "NAY": _____

10 ABSENT: _____

11

12 APPROVED:

13

14 By _____
OSCAR B. GOODMAN, Mayor

15 ATTEST:

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17 BARBARA JO RONEMUS, City Clerk

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